

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States District Court
Southern District of Texas
FILED

JUL 29 2019

David J. Bradley, Clerk

United States of America
v.
Antonio MARTÍNEZ-Vargas
(YOB: 1983; MX)

Case No. M-19-1754-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 27, 2019 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

Code Section

21 USC 841
21 USC 846

Offense Description

defendant did, knowingly and intentionally possess with the intent to distribute approximately 22.7 kilograms of cocaine, a Schedule I controlled substance, and did knowingly and intentionally conspire to possess with intent to distribute with persons known and unknown approximately 22.7 kilograms of cocaine, a Schedule I controlled substance

This criminal complaint is based on these facts:

Before the United States Magistrate Judge, Southern District of Texas, I, Gilberto Gamez, Special Agent, United States Homeland Security Investigations, being duly sworn, depose and say the following:

See Attachment A

☒ Continued on the attached sheet.


Complainant's signature

Gilberto Gamez Special Agent HSI Falcon Dam, TX

Printed name and title

Sworn to before me and signed in my presence.

Date: July 29, 2019 8:39 am


Judge's signature

City and state: McAllen, Texas

Peter E. Ormsby, U.S. Magistrate Judge

Printed name and title

Attachment A

On July 27, 2019, U.S. Customs and Border Protection (CBP) Officers, at the Roma, Texas Port of Entry (POE) reported Antonio MARTINEZ-Vargas, a Mexican National, arrived at the POE driving a Nissan Sentra Sedan displaying Mexican license plate XJT022A and seeking to make entry into the United States at which time he presented his B1/B2 visa. The CBP officer on primary scanned the visa and received a positive hit for possible narcotics involvement. The CBP officer continued with his inspection at which time he took a negative declaration from MARTINEZ-Vargas for being in possession of fruits, meats, weapons, monies more than \$10,000, tobacco or drugs. MARTINEZ-Vargas was referred to secondary inspection. During the secondary inspection CBP officers used a K-9 which alerted to the presence of narcotics. The CBP officers discovered 20 bricks wrapped in black packaging tape of a white powdery substance weighing approximately 22.7 kilograms. The bricks were removed from the floorboards and rocker panels of vehicle. The substance in all the packages were tested and were positive for the presence of cocaine. MARTINEZ-Vargas was detained for further investigation.

CBP advised and requested assistance from U.S. Homeland Security Investigation (HSI), Special Agents (SA). HSI SA Gilberto Gamez arrived to assist in the investigation. Prior to the interview MARTINEZ-Vargas was advised of his Miranda Rights in the Spanish language, which was witnessed by CBPO Mario Canales. MARTINEZ-Vargas stated he understood his rights and was willing to answer questions without an attorney being present and provided the following statement:

MARTINEZ-Vargas admitted it was his first-time transporting narcotics. MARTINEZ-Vargas stated he knew there were drugs in the vehicle, however he did not what type of drug. MARTINEZ -Vargas stated he going to be paid \$3,000 for smuggling the drugs. MARTINEZ-Vargas claimed he did not know the individual's name who hired him or where he was going to deliver the drugs. MARTINEZ-Vargas advised he was instructed to cross and drive back as if he was going back to his home in Reynosa. During the drive back, he was to lookout for vehicle which was going to signal him by flashing headlights and at which time he would receive further instructions.

MARTINEZ-Vargas was arrested for Title 21 narcotics violations pending his initial appearance before a U.S. Magistrate Judge.